

AFFIDAVIT OF ANTHONY BURDEN

The Affiant herein, Anthony Burden, being first duly sworn, says:

1. He affirms and confirms all of the facts contained in the attached Reply as if fully reiterated herein, attributed to the Affiant;

2. The facts stated in the Reply relating to the Affiant, including those not reflected in the Record are true to the best of his information and belief.

3. Specifically, the Affiant swears and affirms as to the following matters not reflected in the record:

A. The Affiant requested that his appellate attorney raise all issue(s) raised to the Court of Criminal Appeals of Alabama to the Supreme Court of Alabama once the issues were denied by the intermediate Appellate Court. However, counsel refused to raise all available issues instead focusing on a single claim or error.

4. Further Affiant sayeth naught.



Anthony Burden
Affiant

On this 21st day of July, 2005, the above - signed appeared before me, a Notary Public in and for the State of Alabama, and executed the foregoing instrument.

Notary Public



John K. Boeddeker

My Commission Expires:

03-11-06